

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JUAN JOSE SILVA-CASTANEDA and JOSE
MARIN-ARANDA ,

Defendant.

8:17CR237

ORDER

This matter is before the court on the defendant's unopposed Amended Motion to Continue Trial [29]. Counsel is seeking additional time to prepare for trial. In addition, counsel has a scheduling conflict during the week that trial is currently scheduled. Defendant shall comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the unopposed Motion to Continue Trial [28] is denied as moot and the unopposed Amended Motion to Continue Trial [29] is granted as follows:

1. The jury trial, **as to both defendants**, now set for October 3, 2017 is continued to **November 7, 2017**.
2. The defendant shall file an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 7, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 26th day of September, 2017.

BY THE COURT:

s/Susan M. Bazis
United States Magistrate Judge